

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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HAROLD OLIVER, individually and on  
behalf of all others similarly situated,

5:13-CV-1143 (TJM/DEP)

Plaintiffs,

v.

DISH COUNTRY, INC., DISH NETWORK  
SERVICE, L.L.C., and DISH NETWORK  
CORPORATION,

Defendants.

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**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Counsel has also advised the Court that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

**ORDERED** that:

- 1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within sixty days of the date of the filing of this order upon a showing that the settlement was not consummated;

2) The dismissal of the above captioned case shall become **with prejudice** on the sixty-first day after the date of the filing of this order **unless** any party moves to re-open this case within sixty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language "**that no party hereto is an infant or incompetent**" in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve by electronic means copies of this Judgment upon the attorneys for the parties appearing in this action.

IT IS SO ORDERED.

Dated: April 15, 2014

  
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Thomas J. McAvoy  
Senior United States District Judge